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P 13281 U.S.PTO
120903

December 9, 2003

17497 U.S.PTO
10/730000
120903

PATENT APPLICATION TRANSMITTAL

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Name(s) of Inventor(s): Robert R. STEUER
 David A. BELL
 David R. MILLER

Title of the Invention: SENSOR FOR TRANSCUTANEOUS MEASUREMENT OF
 VASCULAR ACCESS BLOOD FLOW

This Application's Attorney Docket Number: P65684US3

This is a Request under 37 CFR § 1.53(b) for filing:

- an Original Patent Application (*not* a continuing application).
X a Continuation Application of:
a Divisional Application of:
a Continuation-In-Part ("CIP") application of:

prior ("first parent") application:

App. No. 09/750,076
Filed on: December 29, 2000
Entitled: SENSOR FOR TRANSCUTANEOUS MEASUREMENT OF VASCULAR ACCESS
 BLOOD FLOW

Prior application examiner: David McCrosky
Prior application Group Art Unit: 3736

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U.S. Patent Application Transmittal Page 2

- This application is *also* a:
 continuation divisional continuation-in-part
of "*second parent*" application:

App. No. 09/879,192
Filed on: June 13, 2001
Entitled: SYSTEM FOR NONINVASIVE HEMATOCRIT MONITORING

- This second parent application is a:
 continuation divisional continuation-in-part
of "*first grandparent*" application:

App. No. 09/084,958
Filed on: May 28, 1998 (now U.S. patent No. 6,266,546)
Entitled: SYSTEM FOR NONINVASIVE HEMATOCRIT MONITORING

- The first grandparent application is a:
 continuation divisional continuation-in-part
of "*great-grandparent*" application:

App. No. 08/479,352
Filed on: June 7, 1995 (now U.S. patent No. 5,803,908)
Entitled: SYSTEM FOR NONINVASIVE HEMATOCRIT MONITORING

- The great-grandparent application is a:
 continuation divisional continuation-in-part
of "*great-great-grandparent*" application:

App. No. 08/317,726
Filed on: October 4, 1994 (now U.S. patent No. 5,499,627)
Entitled: SYSTEM FOR NONINVASIVE HEMATOCRIT MONITORING

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U.S. Patent Application Transmittal Page 3

- The great-great-grandparent application is a:
 continuation divisional continuation-in-part

of "*great-great-great-grandparent*" application:

App. No. 08/011,882
Filed on: February 1, 1993 (now U.S. patent No. 5,372,136)
Entitled: SYSTEM AND METHOD FOR NONINVASIVE HEMATOCRIT MONITORING

- The great-great-great-grandparent application is a:
 continuation divisional continuation-in-part

of "*great-great-great-grandparent*" application:

App. No. 07/598,169
Filed on: October 16, 1990
Entitled: SYSTEM FOR NONINVASIVE HEMATOCRIT MONITORING

- This application is *also* a:
 continuation divisional continuation-in-part

of "*third parent*" application:

App. No. 09/771,596
Filed on: January 30, 2001
Entitled: METHOD AND APPARATUS FOR NON-INVASIVE BLOOD CONSTITUENT MONITORING

- The third parent application is a:
 continuation divisional continuation-in-part

of "*second grandparent*" application:

App. No. 09/244,756
Filed on: February 5, 1999 (now U.S. patent No. 6,181,958)
Entitled: METHOD AND APPARATUS FOR NON-INVASIVE BLOOD CONSTITUENT MONITORING

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U.S. Patent Application Transmittal Page 4

- The second grandparent application claims the benefit of

Provisional App. No. 60/073,784

Filed on: February 5, 1998

Entitled: METHOD AND APPARATUS FOR NON-INVASIVE HEMATOCRIT MONITORING

- Enclosed are:

39 pages of text (including specification, claims, abstract)

7 claims

22 sheets of drawings

0 computer-readable copies of nucleotide and/or amino acid sequence listings

0 paper copies of nucleotide and/or amino acid sequence listings

0 statement verifying identity of computer-readable and paper sequence listings

0 computer program in microfiche appendix

- For Continuations and Divisionals only:* This application is filed by fewer than all inventors named in the prior application. **DELETE THE FOLLOWING INVENTOR(S)** named in the prior application:

- For Continuations and Divisionals Only:* Enclosed is a true copy of the prior application as originally filed, including: specification (including claims), drawings, oath or declaration showing the signature or an indication it was signed, and amendments referred to in the oath or declaration filed to complete the prior application. None of the amendments referred to in the oath or declaration filed to complete the prior application introduced new matter. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference therein.

The Total Filing Fee is calculated as follows:

- Applicant claims small entity status.

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U.S. Patent Application Transmittal Page 5

- Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

(Col 1)		(Col 2)		SMALL ENTITY		NON-SMALL ENTITY	
	NUMBER OF CLAIMS PRESENTED		NUMBER OF EXTRA CLAIMS	RATE	FEE	RATE	FEE
TOTAL	1	minus 20	0	x9=	\$ 0	x18=	\$ 0
INDEP	1	minus 3	1	x42=	\$ 0	x84=	\$ 0
BASE FILING FEE:				+385=	\$ 385	+770=	\$ 0
Multiple Dependent Claims				+140=	\$ 0	+280=	\$ 0
		TOTAL		\$ 385		OR	TOTAL
						0	

- Credit Card Payment Form including the above TOTAL filing fee is enclosed.
- Check number _____ including the above TOTAL filing fee is enclosed.
- An original executed Declaration is enclosed.
- This application is filed under Rule 53(f). No Declaration and no filing fee are enclosed. An executed Declaration will be submitted at a later date, with a check for the above filing fee and a surcharge under 37 CFR § 1.16(e). Except for the filing fee, the Commissioner is authorized **throughout the pendency of the application** to charge any fee deficiency under 37 CFR §§ 1.16 or 1.17, or credit any overpayment, to our Deposit Account No. 06-1358.
- For Continuations and Divisionals only:* If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow co-pendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 06-1358.
- Assignment document(s) is/are submitted herewith, with check number xxx including the recordation fee of \$40.00 per Assignment.

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U.S. Patent Application Transmittal Page 6

- Foreign priority is claimed under 35 U.S.C. § 119 from:
____ Application No. ____ filed ____.
____ Application No. ____ filed ____.
____ Application No. ____ filed ____.

The certified priority paper(s):

- was/were filed in the parent case;
 is/are enclosed herewith;
 will be submitted at a later date.

- Also enclosed for appropriate processing are the following:
Information Disclosure Statement
- The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17, or credit any overpayment, during the entire pendency of the application to Deposit Account No. 06-1358.
- Recognize the practitioners associated with **CUSTOMER NUMBER 00,136** and HARVEY B. JACOBSON, JR. (Reg. No. 20,851); JOHN CLARKE HOLMAN (Reg. No. 22,769); ALLEN S. MELSER (Reg. No. 27,215); MICHAEL R. SLOBASKY (Reg. No. 26,421); JONATHAN L. SCHERER (Reg. No. 29,851); IRWIN M. AISENBERG (Reg. No. 19,007); WILLIAM E. PLAYER (Reg. No. 31,409); MICHAEL G. VARGA (39,410); YOON S. HAM (Reg. No. 45,307); LINDA J. SHAPIRO (Reg. No. 28,264); SUZIN C. BAILEY (Reg. No. 40,495); JOSEPH G. CONTRERA (44,628); MARVIN R. STERN (Reg. No. 20,640); and NATHANIEL A. HUMPHRIES (Reg. No. 22,772) as having **POWER OF ATTORNEY** to prosecute this application, to make alterations and amendments, and to transact all related business before the U.S. Patent and Trademark Office.
- Ensure that the **CORRESPONDENCE ADDRESS** is the address associated with **CUSTOMER NUMBER 00,136**.
- Ensure that the **FEE ADDRESS** is the address of **CUSTOMER NUMBER 00,136**.

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U.S. Patent Application Transmittal
Page 7

Prompt processing of the enclosed is respectfully requested.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: December 9, 2003

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